

**FILED**

**MAR 14 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

DAVID BRISENO IBARRA; et al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 04-76430

Agency Nos. A95-306-159

A95-306-162

A95-306-161

A95-306-159

MEMORANDUM\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted March 8, 2006\*\*

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

David Briseno Ibarra, Dora Luz Briseno, David Axel Briseno, and Sara  
Gabriela Briseno, natives and citizens of Mexico, petition for review of the Board

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\* This disposition is not appropriate for publication and may not be  
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

\*\* This panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

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of Immigration Appeals' decision affirming an immigration judge's order denying their application for cancellation of removal.

We conclude that petitioner Dora Luz Briseno has failed to raise a colorable constitutional claim to invoke our jurisdiction over this petition for review. *See Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001). Accordingly, we dismiss this petition for review for lack of jurisdiction as to this petitioner. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

As to petitioners David Briseno Ibarra, David Axel Briseno, and Sara Gabriela Briseno, these petitioners lack the necessary qualifying relative required to be eligible for cancellation of removal. *See* 8 U.S.C. § 1229b(b)(1)(D).

Accordingly, we deny this petition for review as to these petitioners.

**PETITION FOR REVIEW DISMISSED IN PART; DENIED IN PART.**